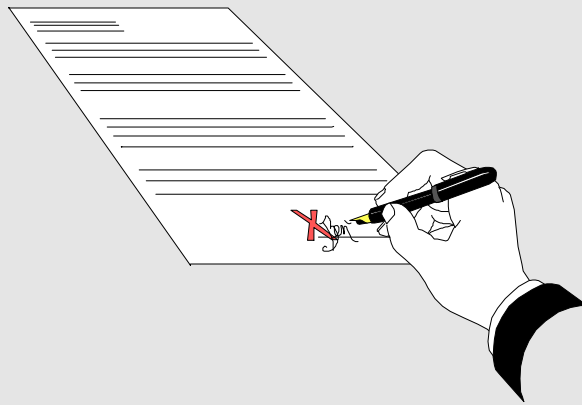


**BUREAU  
OF  
RECLAMATION**



**UNSOLICITED PROPOSAL  
HANDBOOK**

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# UNSOLICITED PROPOSAL HANDBOOK

Unsolicited proposals provide a means for the Bureau of Reclamation (Reclamation) to sponsor innovative or unique approaches to accomplish or support its mission of water resources management. This Handbook is designed to provide information on how to submit unsolicited proposals; how proposals will be evaluated; and what procedures will be followed for acceptance and award of unsolicited proposals.

## BACKGROUND

An unsolicited proposal is a written proposal that is submitted to an agency at the initiative of the submitter for the purpose of obtaining a contract with the Government and which is not in response to a formal or informal Government request.

An unsolicited proposal must not be a proposal submitted in advance for a known agency requirement that can be acquired by competitive methods nor a rejected proposal from a previous solicitation. In addition, advertising material, commercial item offers, contributions, or technical correspondence are not considered unsolicited proposals. However, proposals in response to a publicized general statement of Reclamation's needs are considered to be unsolicited. This does not include the acquisition of research and development under a broad agency announcement that is general in nature and identifies areas of research interest (including criteria for selection of proposals) and solicits participation of offerors capable of satisfying the Government's needs. To be considered, the proposal must:

- Be innovative and unique;
- Be independently originated and developed by the offeror and prepared without Government supervision; and,
- Include sufficient details to permit a determination that Government support could be worthwhile, and that the proposed work could benefit

Reclamation's research and development or other mission responsibilities.

## AWARD TYPES

Unsolicited proposals may result in the following types of awards.

### Contracts

A contract will be used as the award instrument when the principal purpose of the instrument is the acquisition of property or services for the direct benefit or use of Reclamation. Such awards are subject to the requirements of the Federal Acquisition Regulation (FAR) Subpart 15.5, Department of the Interior Acquisition Regulation (DIAR) Subpart 1415.5, and the Reclamation Acquisition Regulation WBR Subpart 1415.5.

### Federal Assistance Awards

Federal assistance instruments will be used when the principal relationship is the transfer of money, property, services or anything of value to the recipient to accomplish a public purpose of support or stimulation authorized by law.

A grant is used as the award instrument when substantial involvement is not expected between Reclamation and the recipient.

A cooperative agreement is used as the award instrument where substantial involvement is required between the recipient and Reclamation.

Federal assistance awards are subject to the requirements of the following Office of Management and Budget Circulars, as applicable:

A-21 Cost Principles for Educational Institutions;

A-87 Cost Principles for State and Local governments;

A-102 "Grants and Cooperative Agreements with State and Local Governments;"

A-110 "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Nonprofit Organizations;"

A-122 "Cost Principles for Nonprofit Organizations."

Such awards are also subject to the Reclamation Manual and the Reclamation Financial Assistance Handbook.

## **SUPPORTED ACTIVITIES**

Through its contracting and assistance process, Reclamation may consider **any proposal** which supports its program to assist State and local governments, and other Federal agencies, to stabilize and stimulate local and regional economies, protect the environment, or improve the quality of life through development of water and related land resources throughout the 17 contiguous western states.

Reclamation projects provide for some or all of the following benefits: irrigation water service, municipal and industrial water supply, hydroelectric power generation, water quality improvement, fish and wildlife enhancement, outdoor recreation, and flood control.

Reclamation's order of priorities for the future is projected to be as follows:

1. Operation and maintenance;

2. Water quality & environmental enhancement;
3. Groundwater management;
4. Total system optimization; and
5. Dam safety programs.

For further information regarding Reclamation activities, please contact the Public Affairs Specialist, U. S. Department of the Interior, Bureau of Reclamation, Denver Federal Center, PO Box 25007, D-5010, Denver, Colorado, 80225, or telephone (303) 236-7000.

## **Awards for renewed support**

Awards for renewed support of existing or previously awarded contracts or assistance projects may also be made. Such requests should include an estimate of funds, if any, that will remain after the scheduled expiration of the current award.

## **Research related activities**

Research related activities include support of conferences in special subjects to bring together leading water resource scientists. A proposal for support of a conference should include:

- a full statement of need for such a conference;
- a list of topics to be covered; and
- documentation that equivalent results cannot be obtained at regular meetings of professional societies.

The proposal should include information regarding:

- the location and probable date(s) of the conference;
- the method of issuing announcements or invitations;
- a list of proposed participants;
- a list of indirect costs;
- the total cost estimate, together with a statement of the amount of support requested from Reclamation and other Federal agencies.

Upon completion of the conference, the preparer should plan to provide a report to Reclamation including the conference highlights and accomplishments. Because conferences are of interest to a wider group than those in attendance, proceedings are normally published in appropriate journals.

## **WHO MAY SUBMIT PROPOSALS**

Awards are made to those organizations and individuals whose proposals demonstrate the potential to advance research and technical processes. Proposals demonstrating a close relationship to Reclamation's programs will stand a better chance for funding, if they demonstrate technical merit. Special consideration will be given when the proposal is of significance or when the institution or individual submitting the proposal has unique capabilities for performing the project's work. Reclamation accepts unsolicited proposals from various organizations including:

### **Colleges and Universities**

Most proposals are submitted by universities or colleges on behalf of their research faculty. Historically Black Colleges and Universities are particularly encouraged to submit proposals in support of water resource research.

### **Nonprofit Institutions**

Awards are made to nonprofit institutions whose proposals demonstrate a close relationship to Reclamation's water resource programs.

### **State and Local Governments**

Awards are made to State and local government agencies for research and other research-related projects of mutual interest, usually when the proposer has unique research capabilities or resources.

### **Private Organizations (For-Profit)**

In some instances, an award may be issued to a private, for-profit organization.

### **Foreign Concerns**

Awards are made to foreign institutions only in special circumstances such as possession of unique research capabilities or resources. Proposals should be discussed with Reclamation program officials before submission.

### **Unaffiliated Individuals**

Scientists, engineers, or educators who have no affiliations with an organization may receive awards

for meritorious research if they have the capability and access to facilities needed to perform the work.

## **WHEN TO SUBMIT PROPOSALS**

Proposals may be submitted for consideration at anytime. However, proposals submitted at the beginning or end of the Federal Government's fiscal year may be delayed pending Congressional budget activities and funding decisions.

Organizations should contact Reclamation's program officials to discuss potential program areas prior to expending extensive efforts in developing a detailed unsolicited proposal. Such discussions may save resources in developing a proposal, and ensure organizations a greater opportunity of meeting the needs of the particular program.

Preliminary contacts with Reclamation can include inquiries or discussions with technical specialists to obtain an understanding of Reclamation's mission and its general requirements relative to the organization's contemplated effort. However, such contacts should not be considered opportunities for negotiation. Negotiations are conducted only by a Reclamation contracting officer, or other authorized officers, after review and acceptance of the proposal by the technical specialists.

Requests for support of research, or a research-related conference, should be well in advance of the anticipated commencement of work to be performed. Preliminary contacts with Reclamation's personnel will provide insight as to the feasibility of Reclamation support. Discussions should not be considered a commitment by Reclamation to accept the proposal upon submission.

## **WHERE TO OBTAIN INFORMATION TO SUBMIT PROPOSALS**

Several factors may be taken into consideration when determining where to submit proposals, such as geographic proximity to the organization or work effort, and knowledge of regional interest in the project.

Reclamation is responsible for the 17 contiguous western states and Hawaii. The administration is divided among five regional offices plus the Denver Service Center and the Administrative Service Center which are both located in Denver.

You may contact the Reclamation regional office listed below for assistance in your area. The person assigned as your liaison will assist you wherever possible through the process. If your proposal is not related to Reclamation's mission, we will make an attempt to identify other agencies with missions more closely-related to the proposed subject matter.

## CONTACT POINTS

Bureau of Reclamation  
Manager, Acquisition Operations Group  
Denver Federal Center, D-7810  
PO Box 25007  
Denver CO 80225  
(303) 236-8040, extension 224

Bureau of Reclamation  
Program Manager, Contracts  
1150 N. Curtis Road, PN-3700  
Boise ID 83706-1234  
(208) 334-1388

Bureau of Reclamation  
Procurement and Contracts Office  
Acquisition and Assistance Officer  
Federal Office Building, MP-800  
2800 Cottage Way  
Sacramento CA 95825  
(916) 978-5203

Bureau of Reclamation  
Acquisition and Assistance Group Manager  
LC-3100  
PO Box 61470  
Boulder City NV 89006-1470  
(702) 293-8161

Bureau of Reclamation  
Phoenix Area Office  
Chief, Acquisition and Assistance Division  
PXAO-800  
PO Box 9980  
Phoenix AZ 85068  
(602) 870-2418

Bureau of Reclamation  
Acquisition Management Division  
UC-810  
125 South State Street, Room 6107  
Salt Lake City UT 84138-1102  
(810) 524-6941

Bureau of Reclamation  
Acquisition and Property Management Officer  
Federal Office Building, PO Box 36900  
316 North 26th Street, GP-800  
Billings MT 59107-6900  
(406) 657-6543

Bureau of Reclamation  
Administrative Service Center  
Chief, Management Services Division, D-2900  
7301 West Mansfield Avenue  
Denver CO 80235  
(303) 969-7208



## WHAT TO SUBMIT

Proposals should be comprised of five basic parts:

- (1) Cover Sheet;
- (2) Abstract;
- (3) Narrative (Technical/Management);
- (4) Signed Disclosure Submission Conditions Sheet; and
- (5) Cost Proposal (must be separable from the remainder of the proposal).

An original and two copies of the entire proposal package are required. One copy of the proposal **must** be signed by the principal investigator(s) and the applicant's authorized representative. This representative must be an official authorized to commit your organization to the proposed project and to enter into negotiations with Reclamation.

### Cover Sheet

Appendix I presents a recommended format for the cover page. A cover page should contain, at a minimum, the following information:

- Title of the proposed project. The title should be brief and descriptive;
- Name, address, and telephone number of the applicant. This may be an organization or individual;
- Name, title, address, and telephone number of the principal investigator(s) or project manager;
- Commencement and completion dates of the proposed project;
- Total dollar amount requested from Reclamation;
- If the proposal is for the renewal of an award, provide the Reclamation identification number of the previous award;
- Name, title, and telephone number of the official authorized to commit the applicant to the proposed project and to enter into negotiations with Reclamation;

- Signatures of principal investigator(s) and official authorized to commit the applicant to the proposed project. A proposal will not be considered complete if endorsement signatures are omitted; and
- A statement as to whether the proposal does or does not contain restricted data. (See Use and Disclosure of Proposal Information, Appendix II.)

Any unsolicited proposal may include data, such as a technical design, concept or financial and management plans, which the offeror considers proprietary.

(a) If an offeror wishes to restrict the proposal data, the title page must be marked with the following legend:

#### **USE AND DISCLOSURE OF DATA**

*The data in this proposal shall not be disclosed outside the Government and shall not be duplicated, used, or disclosed in whole or in part for any purpose other than to evaluate the proposal, provided, that if a contract is awarded to this offeror as a result of or in connection with the submission of these data, the Government shall have the right to duplicate, use, or disclose the data to the extent provided in the contract. This restriction does not limit the Government's right to use information contained in the data if it is obtainable from another source without restriction. The data subject to this restriction are contained in Sheets\_\_\_\_\_.*

(b) The offeror shall also mark each restricted sheet with the following legend:

*Use or disclosure of proposal data is subject to the restriction on the title page of this Proposal.*

### **Abstract**

At the beginning of your proposal there should be a concise title and abstract (approximately 200 words) stating the basic purpose of the proposal, a summary of the work to be performed, the duration of the project, and the expected end result.

### **Narrative (Technical/Management)**

The proposal's narrative section must provide information on both the technical and management aspects of the proposal. Technical information should clearly describe the proposal, the technical issues and the relevance of the proposal's objectives to Reclamation's mission or program. Management information should address resource requirements, time schedules, costs, qualifications and project management and control approaches. The following items should be specifically addressed:

**Purpose and Objective** - State briefly, the objectives of the effort or activity, the method or approach, and the extent of the effort proposed. Describe the anticipated results and how they will help Reclamation.

**Previous or Ongoing Related Work** - The proposal should:

- Document your experience in, or knowledge of, other related activities with appropriate references to the literature or ongoing research.
- Show how the proposed project relates to these other activities.
- Show how the proposed work will extend the level of knowledge in the field.

### **Statement of Work -**

- Describe the work to be performed and/or services to be provided.

- Give full and complete technical details of the procedures that will be used to accomplish the scope of work.
- Describe each major project task and its measurable accomplishments.
- Indicate the scope and methods of management support planned to complete the work.
- Provide a project milestone and delivery schedule.
- Indicate the criteria that will be used to evaluate the project's overall success.

### **Offeror's Organization, Facilities, and Qualifications**

- With respect to the organization, facilities, and qualifications for performing the work or services set forth in the proposal, there should be a clear demonstration that:

- a. You understand the complexity of work or services contemplated and the resources, time, and management skills required for the successful project accomplishment.
- b. You have the necessary resources and capability to accomplish the required work unimpeded by other organizational and contractual commitments. (List all such commitments.)
- c. If you intend to subcontract a portion of the work, what services or work will be performed, and by what sources, using the following format:

#### **Subcontracted Work**

Services or Major Equipment Purchases	Estimated Costs*	Prospective Subcontractors
_____	\$ _____	_____
_____	\$ _____	_____
_____	\$ _____	_____

\* Based on actual competitive quotations, catalog prices, or other.

### **Other Information** - Provide the Following:

- ✓ The names, titles, and resumes of the project manager(s) and key technical personnel. Describe the number, category and background of any further key personnel who will be engaged in performing the proposed effort;
- ✓ A brief description of the location, facilities, and special equipment now available to perform the proposed work;
- ✓ The type of Reclamation support needed (e.g., facilities, equipment, materials, or personnel resources);
- ✓ A list of any previous work performed in the categories covered, or in related fields;
- ✓ The period of time for which the proposal is valid (a minimum of 6 months is suggested);
- ✓ The type of award proposed (i.e., contract, grant, cooperative agreement); and
- ✓ Names of other agencies receiving the proposal or funding the proposed effort.

Reclamation's appraisal of the proposed project's merit is based primarily on the information in the narrative section. Review and negotiation of a carefully prepared, complete and detailed statement of work requires less time than for a less comprehensive proposal.

### **Cost Information**

A cost proposal shall be submitted showing, in detail, the estimated total cost of the project. Cost data must be accurate, complete, and current. The assumptions used in projecting the estimates must be stated in sufficient detail to support the fact that the project has been well planned to assure realistic estimates. If available, include a copy of the current rate agreement negotiated with the cognizant audit agency. The cost proposal should be separable from the rest of the proposal and should be accompanied by a detailed cost breakout as follows:

**Personnel** costs represent those personnel costs directly associated with the proposed project.

Indirect or administrative personnel costs associated with the project are usually not charged as direct costs, but as indirect costs.

A list of the salaries of personnel should be itemized in a separate statement and attached to the cost proposal. Educational institutions should include in this statement the annual salaries and the amount of time during the academic year and summer months each faculty/staff participant will devote to the research. Institutions should also include the number of weeks included in the academic year.

**Payroll fringe benefits** such as FICA, retirement, and health benefits, can be treated as direct or indirect costs. The organization should use the same accounting practices which they normally use to contribute to employee benefits.

**Equipment** consists of both permanent and expendable equipment. **Permanent equipment** (nonstandard scientific or technical equipment, personal computers, etc.) should be itemized by description and their costs estimated in the proposal. The narrative should include an adequate justification for the acquisition of needed equipment and a statement that the requested equipment is not already available for the conduct of the proposed work. Unless provided for in writing in the award document, funds may not be used to purchase such equipment. Title to purchased equipment may be retained by Reclamation, or may vest with the recipient organization upon award or at the completion of the work, subject to the conditions of any applicable OMB Circulars.

**Expendable equipment** such as supplies should be indicated in general terms with estimated costs. When substantial funds are requested, a detailed breakdown should be provided.

**Travel requirements** should be itemized. Individual trips, including estimated costs, should be listed in the narrative. Allowances for air travel will not normally exceed round-trip jet coach accommodations. Air travel must be made by U.S. carriers with limited exceptions.

If foreign travel is planned, the proposal must include relevant information (including itinerary) and a detailed justification. The use of Government funds for foreign travel requires special approval, well in advance, of the contemplated departure date.

**Other direct costs** not included above should be itemized. These may include, but are not limited to, costs for purchase of publications, computer time, printing, postage, and sending facsimile documents..

**Indirect costs** are costs, that cannot be traced specifically to a unit of output under the project. Examples of these costs may include executive salaries, indirect materials and shop costs. Such costs are normally contained in the organization's overhead categories of their standard accounting system. Application of overhead rates is subject to government audit.

**Cost-sharing** arrangements may be appropriate for research projects when the offeror agrees to absorb a portion of the project cost and receive no fee or profit. The offeror should indicate the amount and nature, if any, of such cost sharing it is prepared to make available to the project. (See FAR 16.303). Cost sharing does not affect the Government's technical evaluation or mission priorities.

Applicants submitting proposals must be prepared to discuss cost items in detail with the contracting officer who is responsible for negotiating and determining that costs are reasonable, allocable, and allowable in conformance with Government cost principles. During negotiations, applicants should be prepared to explain the rationale behind the project proposal and the basis for the cost estimates. As determined by the contracting officer, proposals may be audited prior to negotiations, during award or performance, and/or after final payment.

### **Resumes of Personnel**

The proposal should contain the resumes of the principal investigator(s) or project manager responsible for direct supervision of the program, principal senior personnel who will participate in the program, and other senior personnel. Short biographical sketches and lists of principal publications during the past 5 years should be included in the resumes.

### **Disclosure Submission**

As part of the proposal package, the Use and Disclosure of Proposal Information -- Department of the Interior (Apr 1984) form should be included. The proposal package will not be considered complete without this form and proposal review will be delayed until it is received. This form describes Reclamation's and the applicant's responsibilities and rights as to the disclosure of information contained in the proposal. A copy of the form is contained in Appendix II.

## **RECLAMATION REVIEW/AWARD PROCESS**

All proposals submitted will be reviewed and evaluated by program officials and technical specialists within Reclamation. The advice of other specialists in the fields covered by the proposal may be obtained to assist in proposal evaluation. Proposals must contain pertinent information in sufficient detail to define the nature and merit of the proposed project.

Meritorious proposals will be supported in order of priority, to the extent permitted by available funds.

Reclamation will return copies of each proposal that does not result in an award. If a proposal results in an award, it may be made available to interested individuals upon specific request; however, information or material that Reclamation determines to be of a privileged nature will be held in confidence to the extent permitted by law.

The review and award process is detailed below. Time frames for processing and issuing awards will vary dependent upon individual circumstances (i.e., determination of the type of award, time of fiscal year, complexity of the proposal, total cost, and audit requirements). Given these circumstances, the time frame for the entire process from initial submission to an award normally should take from 2 - 4 months for assistance awards and from 4 - 6 months for contractual awards.

Reclamation will perform a preliminary acceptability review and then a comprehensive evaluation of acceptable proposals.

### **Preliminary Acceptability Review**

The Reclamation contact person will make a preliminary acceptability review prior to the comprehensive evaluation to see if the proposal contains sufficient technical and cost information and contains the information listed under "What to Submit."

A proposal will also be examined to determine whether there is a potential for an organizational

conflict of interest based on the particular facts and the nature of the proposed contract. Reclamation will exercise common sense, good judgment, and sound discretion to determine whether a significant potential conflict exists and if it exists, to develop an appropriate means for resolving it.

Upon completion of our preliminary review, you will be notified that your proposal is either being forwarded for a comprehensive evaluation, or that additional information is needed before further evaluation can be made. If your proposal does not relate to Reclamation's mission, Reclamation may attempt to identify other agencies with missions that may be more closely related to the proposal's subject matter.

### **Comprehensive Evaluation**

The Reclamation contact person will coordinate the evaluation and forward the proposal to the appropriate evaluator(s).

The evaluator(s) shall consider the following factors during the comprehensive evaluation:

- ✓ The unique and innovative methods, approaches or concepts demonstrated by the proposal;
- ✓ The overall scientific, technical, or socioeconomic merits of the proposal;
- ✓ The proposal's potential contribution to Reclamation's mission or specific programs;
- ✓ The offeror's capabilities, related experience, facilities, techniques, or unique combinations of these which are integral factors for achieving the proposal objectives; and
- ✓ The qualifications, capabilities, and experience of the proposed staff who are critical in achieving the proposal objectives.

When completed, the evaluator(s) will submit their conclusions and recommendation to the Reclamation contact person.

### **Negotiation/Discussions**

If the proposal is recommended for acceptance, the contracting officer may determine that discussions with the offeror are necessary. The purpose of these discussions is to arrive at a mutual understanding of work to be done, terms and conditions related to the choice of contractual instrument, and cost. After discussions, the offeror may be requested to submit a revised proposal reflecting the mutual understanding reached during the discussions.

Only a contracting officer may hold or chair discussions with the offerors. Preaward discussions or commitments made by anyone, other than the contracting officer, are not binding on Reclamation and should not be followed.

### **Award**

If a proposal, which is determined to be unique and innovative, is accepted by Reclamation it will still be necessary to justify and obtain approval of a noncompetitive award.

In all proposals not determined to be unique and innovative, competition must be obtained when the substance of a proposal:

- Is available to Reclamation without restriction from another source;
- Closely resembles a pending competitive acquisition requirement; or
- Does not demonstrate an innovative and unique method, approach, or concept.

### **Notification of an Award**

Notification of an award of a contract, grant, or cooperative agreement will be signed by a contracting officer or other authorized official and will be addressed to the organization to which the award is made.

The award will incorporate, by attachment or reference, certain documents that will establish binding terms and conditions upon the awardee. Prior to an award, the awardee will be provided the opportunity to review these terms and conditions. The conditions

state the conduct relating to the general nature and scope of the award, termination of the award, return of unused funds, costs, summary, patent rights, status reports, etc.

### **Period of Performance**

The performance period begins on the date of the award, unless otherwise specified, and runs for the length of time indicated in the award document.

When progress during the period of performance is delayed, an extension of the performance period, without additional funds, may be necessary. If a time extension is required, a written request for extension must be submitted to the contracting officer. Such a request should include a justification for the requested extension.

### **Adherence to Original Cost Estimates**

The awardee bears the primary responsibility for fiscal accountability. Unless previously agreed to by the parties and spelled out in the award document, expenditures may not be incurred before the effective date of the award. In addition, commitments may not be incurred after the completion of the period of performance.

While the principal investigator or project manager is free to alter the direction of research when changes seem technically advantageous, the awardee must give full consideration to the effects of cost reallocations on the cost-sharing and indirect cost portions of the cost. The awardee must remember that it may not exceed the amount of funds obligated. Likewise, items not included in the approved award costs may not be charged to the award, unless approved by the contracting officer.

### **Adherence to Project Objectives**

Reclamation believes that the recipient's principal investigator or project manager, operating within the established policies of his or her institution and without Government interference, should feel free to pursue interesting and important leads which may arise during the conduct of the research.

When it appears from the technical standpoint that the inquiry as originally contemplated will no longer be fruitful or that a related line of inquiry will be

more promising, the principal investigator may discontinue or materially modify unpromising lines of inquiry, without jeopardizing continuation of support for the remainder of the performance period. However, when new and promising leads or potential lines of inquiry do arise leading to possible major deviations from original research objectives, approval must first be obtained from the contracting officer and the award modified accordingly. Proposed changes such as additions, deletions, or substitutions to permanent equipment must be approved in advance by the contracting officer.

### **Equipment/Property**

As a means of providing additional support and conserving supply and equipment funds, Reclamation may sponsor the transfer of limited quantities of Federally-owned property to an awardee. Before the transfer of excess Government property can be authorized, full justification must be provided to the contracting officer that the property will further performance of the award.

Equipment purchased under the award will be used only for the originally authorized purpose for which it was acquired. Equipment that is no longer needed for the program or any other Federally supported program, with a fair market value of less than \$5,000, may be retained and disposed of by the awardee with no further obligation to the Government. Equipment exceeding \$5,000 in value and whose title is not vested with the recipient or contractor upon award will be disposed of by the awardee as instructed by Reclamation in accordance with Federal regulations.

Property management standards for grants and cooperative agreements shall be in accordance with the provisions of Office of Management and Budget Circular A-102 or A-110.

### **Changes in Personnel**

Reclamation must approve changes involving the participation of key personnel in a project. When the changes are not permanent, as when a principal investigator is on leave, the technical officer should be informed of the arrangements made for super-

vision and management of the award during the interim.

### **Acknowledgement**

An appropriate acknowledgement of Reclamation's support must be made in connection with publication of any material based on research aided by Reclamation. Also, a standard disclaimer, as provided in the award, is to be included in such publication or commercial advertising.

### **Security**

Normally, investigators will not need access to classified security information in performing research work for Reclamation. If it appears that access to such information is desirable, investigators should inform the contracting officer. When the principal investigator or project manager determines that information developed under the award should be classified, he/she must notify the contracting officer immediately.

### **Safety Precautions**

Reclamation cannot assume liability with respect to accidents, illnesses, or claims arising while performing work under the awards. The awardee is advised to insure or protect itself as necessary.

### **Status Reports**

Dependent on the award document, certain reports must be submitted in connection with the award activities. Each award will detail reporting requirements. The types and number of copies of reports will be specified in the award.

## **ACCOUNTING AND AUDIT PROCEDURES**

The financial management systems of recipients of Federal funding are required to accurately disclose current and complete financial results of each award. Such records must identify the source and application of funds for financially supported activities and maintain control over and accountability for property and other related assets.

Examinations in the form of audits may be required in order to test the fiscal integrity of the awardee's

financial system. A review is made of accounting transactions, and to test compliance with the terms and conditions of the Federal agreement.

#### **IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST**

The policies and procedures contained in Part 3 of the FAR, Part 1403 of the DIAR, and Part WBR 1403 of the RAR will apply for avoiding improper business practices and personal conflicts of interest and for dealing with their apparent or actual occurrence.

Any resulting contract shall contain the required contract clauses for contractor certification and conflict of interest.



**UNSOLICITED PROPOSAL**

---

TITLE

Submitted to:  
Department of the Interior  
Bureau of Reclamation

---

Name of Applicant

---

Address

Telephone Number

Principal Investigator (Project Manager)

Co-Principal Investigator(s), (if any)

Name 

---

---

Title 

---

---

Address &amp; Telephone

---

---

---

---

Proposal Project Dates 

---

Amount Requested \$ 

---

Previous award number(s) if renewal request 

---

---

Endorsements:

Principal Investigator(s)

Authorized Official for Award

---

Signature and DateName 

---

Title 

---

---

Signature and Date

---

Signature and Date

## APPENDIX II

### USE AND DISCLOSURE OF PROPOSAL INFORMATION -- DEPARTMENT OF THE INTERIOR (APR 1984)

(a) Definitions. For the purposes of this provision and the Freedom of Information Act (FOIA) (5 U.S.C. 552), the following terms shall have the meaning set forth below:

(1) "Trade Secret" means an unpatented, secret, commercially valuable plan, appliance, formula, or process, which is used for making, preparing, compounding, treating or processing articles or materials which are trade commodities.

(2) "Confidential commercial or financial information" means any business information (other than trade secrets) which is exempt from the mandatory disclosure requirement of the Freedom of Information Act, (5 U.S.C. 552). Exemptions from mandatory disclosure which may be applicable to business information contained in proposals include exemption (4), which covers "commercial and financial information obtained from a person which is privileged or confidential," and exemption (9), which covers "geological and geophysical information, including maps, concerning wells."

(b) If the offeror, or its subcontractor(s), believes that the proposal contains trade secrets or confidential commercial or financial information exempt from disclosure under the FOIA, (5 U.S.C. 552), the cover page of each copy of the proposal shall be marked with the following legend:

"The information specifically identified on pages \_\_\_\_ of this proposal constitutes trade secrets or confidential commercial and financial information which the offeror believes to be exempt from disclosure under the Freedom of Information Act. The offeror requests that this information not be disclosed to the public, except as may be required by law. The offeror also requests that this information not be used in whole or part by the Government for any purpose other than to evaluate the proposal, except that if a contract is awarded to the offeror as a result of or in connection with the submission of the proposal, the Government shall have the right to use the information to the extent provided in the contract."

(c) The offeror shall also specifically identify trade secret information and confidential commercial and financial information on the pages of the proposal on which it appears and shall mark each such page with the following legend:

"This page contains trade secrets or confidential commercial and financial information which the offeror believes to be exempt from disclosure under the Freedom of Information Act and which is subject to the legend contained on the cover page of this proposal."

(d) Information in a proposal identified by an offeror as trade secret information or confidential commercial and financial information shall be used by the Government only for the purpose of evaluating the proposal, except that (1) if a contract is awarded to the offeror as a result of or in connection with submission of the proposal, the Government shall have the right to use the

information as provided in the contract, and (ii) if the same information is obtained from another source without restriction it may be used without restriction.

(e) If a request under the FOIA seeks access to information in a proposal identified as trade secret information or confidential commercial and financial information, full consideration will be given to the offeror's view that the information constitutes trade secrets or confidential commercial or financial information. The offeror will also be promptly notified of the request and given an opportunity to provide additional evidence and argument in support of its position, unless administratively unfeasible to do so. If it is determined that information claimed by the offeror to be trade secret information or confidential commercial or financial information is not exempt from disclosure under the FOIA the offeror will be notified of this determination prior to disclosure of the information.

(f) The Government assumes no liability for the disclosure or use of information contained in a proposal if not marked in accordance with paragraphs (b) and (c) of this provision. If a request under the FOIA is made for information in a proposal not marked in accordance with paragraphs (b) and (c) of this provision, the offeror concerned shall be promptly notified of the request and given an opportunity to provide its position to the Government. However, failure of an offeror to mark information contained in a proposal as trade secret information or confidential commercial or financial information will be treated by the Government as evidence that the information is not exempt from disclosure under the FOIA, absent a showing that the failure to mark was due to unusual or extenuating circumstances, such as a showing that the offeror had intended to mark, but the markings were omitted from the offeror's proposal due to clerical error.

(End of provision)